

107TH CONGRESS  
1ST SESSION

# S. 1219

To amend the Internal Revenue Code of 1986 to include swine and bovine waste nutrients as a renewable energy resource for the renewable electricity production credit, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 23, 2001

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to include swine and bovine waste nutrients as a renewable energy resource for the renewable electricity production credit, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Providing Opportuni-  
5       ties With Effluent Renewables (POWER) Act”.

1 **SEC. 2. MODIFICATIONS TO CREDIT FOR ELECTRICITY**  
 2 **PRODUCED FROM RENEWABLE RESOURCES.**

3 (a) **EXPANSION OF QUALIFIED ENERGY RE-**  
 4 **SOURCES.—**

5 (1) **IN GENERAL.**—Section 45(c)(1) of the In-  
 6 ternal Revenue Code of 1986 (defining qualified en-  
 7 ergy resources) is amended by striking “and” at the  
 8 end of subparagraph (B), by striking the period at  
 9 the end of subparagraph (C) and inserting “, and”,  
 10 and by adding at the end the following new subpara-  
 11 graph:

12 “(D) swine and bovine waste nutrients.”.

13 (2) **DEFINITION.**—Section 45(c) of such Code  
 14 (relating to definitions) is amended by adding at the  
 15 end the following new paragraph:

16 “(5) **SWINE AND BOVINE WASTE NUTRIENTS.**—  
 17 The term ‘swine and bovine waste nutrients’ means  
 18 swine and bovine manure and litter, including bed-  
 19 ding material for the disposition of manure.”.

20 (b) **EXTENSION AND MODIFICATION OF**  
 21 **PLACED-IN-SERVICE RULES.**—Section 45(c)(3) of  
 22 the Internal Revenue Code of 1986 (relating to  
 23 qualified facility is amended by adding at the end  
 24 the following new subparagraph:

25 “(D) **SWINE AND BOVINE WASTE NUTRI-**  
 26 **ENTS FACILITY.**—In the case of a facility using

1 swine and bovine waste nutrients to produce  
 2 electricity, the term ‘qualified facility’ means  
 3 any facility owned by the taxpayer which is  
 4 originally placed in service after December 31,  
 5 2001, and before January 1, 2007.”.

6 (c) EXEMPTION FROM CREDIT REDUCTION.—Sec-  
 7 tion 45(b)(3) of the Internal Revenue Code of 1986 (relat-  
 8 ing to credit reduced for grants, tax-exempt bonds, sub-  
 9 sidized energy financing, and other credits) is amended  
 10 by adding at the end the following new sentence: “This  
 11 paragraph shall not apply to any project related to a quali-  
 12 fied facility described in subsection (c)(3)(D).”.

13 (d) EFFECTIVE DATE.—The amendments made by  
 14 this section shall apply to electricity produced after De-  
 15 cember 31, 2001.

16 **SEC. 3. ANAEROBIC DIGESTION SYSTEMS.**

17 Section 1240G(c) of the Food Security Act of 1985  
 18 (16 U.S.C. 3839aa–7(c)) is amended by striking “until the  
 19 subsequent fiscal year.” and inserting the following:  
 20 “until—

21 “(1) the subsequent fiscal year; or

22 “(2) in the case of a contract to implement an  
 23 anaerobic digestion system implemented as a compo-

- 1       nent of a nutrient management system, the 2 subse-
- 2       quent fiscal years.”.

